

REMARKS

The Examiner has objected to specification as failing to provide proper antecedent basis for the claim phrase “a remote control that generates said custom tag information;” and “a keyboard that generates said custom tag information.” These phrases are supported by the specification on page 6, lines 25-27. Accordingly, this objection should be withdrawn.

Claim 39 is objected to for reciting “said set box” prior to reciting “a set top box.” Applicants have amended this claim in accordance with the Examiner’s suggestion. Since this simply adopts the Examiner’s suggestion, and does not require any additional search, this amendment should be entered after final.

Claims 1, 3, 4, 6-8, 10, 14-24, 33, 36, 38, 39, and 63-66 stand rejected under 35 USC 103(a) as being unpatentable over Kwoh in view of Cragun. Claims 5, 11-13, 25, 26, 29-37, 42-58, 61-62, and 67-71 stand rejected under 35 USC 103 as being unpatentable over Kwoh in view of Cragun, Rosser, Elam, Abecassis, Eyer, Beckman, Elenbaas, Ahmad, Gove, Freeman and/or Cobbley. These rejections are respectfully traversed.

In the previous amendment, all of the pending independent claims were amended to specify that the tags include selected key words relating to the content of the video stream. These key word tags do not need to be words spoken in the program. For example, they can include the time period of the program, the general topic or subject matter involved, or they may be related to other programs that are enjoyed by a similar viewer. As explained in the specification, these chosen key words can be used by the system to select preferred video segments and to exclude unwanted video segments. The key words provide for much more individualized control over programming than just standard rating tags.

The Examiner again cites to Cragun as disclosing tags that include key words in video content. Cragun, however, does not disclose “selected key words relating to the content of said video stream” as tags. The sections cited by the Examiner all relate to a system in which closed

captioning text is utilized as the keywords. The closed captioning text is not “selected key words,” but rather an interpretation of all the spoken words in the program. Since many of the spoken words are not relevant to categorizing a program, the closed captioning text would not be as precise in categorizing content as the claimed selected key words.

Further, the selected keywords are related to the content of the video stream, accordingly, they are not necessarily part of the video stream. In comparison, the closed caption text is actually part of the video stream. Many words and phrases that may be relevant to a viewer in deciding which program to watch may not actually appear in the program itself. For example, the words “love story” may not necessarily appear in such a program, but may nonetheless be useful to a viewer in choosing a program to view.

Since none of the cited references disclose systems and methods that include tags comprising “selected key words relating to the content of said video stream” as claimed, the rejection of claims 1, 3-8, 10-26, 29-39, 42-58 and 61-71, should be withdrawn.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **577172001500**.

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Respectfully submitted,

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